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Message Text

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ACTION EB-07

INFO OCT-01 ARA-10 ISO-00 L-03 CIAE-00 COME-00 DODE-00
DOTE-00 FMC-01 INR-07 NSAE-00 CG-00 DLOS-09
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----------110811Z 028655 /15
R 102310Z JUN 77
FM AMEMBASSY GUATEMALA
TO SECSTATE WASHDC 6376

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E.O. 11652: N/A
TAGS: EWWT, GT
SUBJ: GUATEMALAN SHIPPING LEGISLATION

REF: A) GUATEMALA 3638 AND B) STATE 130777

1. SUMMARY. ON JUNE 9 GUATEMALAN CONGRESS PASSED NEW SHIPPING LAW. HOWEVER, LAW IN ALL PROBABILITY DOES NOT MEET US REQUIREMENTS FOR NON-DISCRIMINATION TOWARDS FOREIGN SHIPPING INTERESTS. THIS IS BECAUSE NEW LAW APPARENTLY CONTAINS RESERVE CLAUSE ON EXONERATED CARGO IN FAVOR OF GUATEMALAN COMPANIES. NEXT STEP IN THE PROCESS IS FURTHER CONGRESSIONAL ACTION SINCE CONGRESS MUST APPROVE MINUTES OF JUNE 9 SESSION. SUCH ACTION MAY BE RAISED AS EARLY AS JUNE 21. END SUMMARY.

2. GOG LEADERSHIP DID NOT INCLUDE SHIPPING BILL IN AGENDA FOR JUNE 9 SESSION OF CONGRESS BECAUSE OF ITS REPEATED FAILURES IN PREVIOUS DAYS TO PERSUADE MLN-DCG OPPOSITION TO PERMIT (BY MAINTAINING QUORUM) THE BILL TO BE BROUGHT UP. HOWEVER, TAKING ADVANTAGE OF RELATIVELY FULL HOUSE JUNE 9, CHAIRMAN FINANCE COMMITTEE MOVED TO TAKE THE BILL OFF THE TABLE; WITH STRENUOUS EFFORTS QUORUM WAS MAINTAINED, AND BILL WAS DEBATED AND PASSED.

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3. HOWEVER, OPPOSITION HAD THE LAST LAUGH, BECAUSE IT APPARENTLY SUCCEEDED IN GETTING ALL ITS AMENDMENTS ADOPTED, INCLUDING ONE THAT MAINTAINS THE ESSENCE OF EXISTING LAW 41-71 BY CONTINUING TO RESERVE EXONERATED CARGO FOR GUATEMALAN COMPANIES. LEADER GOG FORCES TOLD EMBASSY MORNING JUNE 10 THAT HE WAS FULLY AWARE BILL AS AMENDED WAS NOT WHAT PRESIDENT LAUGERUD WANTED, AND HE SAID HE THOUGHT EFFORT WOULD

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BE MADE AT NEXT CONGRESSIONAL SESSION TO RECONSIDER BILL.

4. CONGRESS HAS NOW RECESSED. BILL CANNOT GO TO PRESIDENT FOR SIGNATURE (OR VETO) UNTIL CONGRESS RETURNS FROM RECESS AND APPROVES THE MINUTES OF THE JUNE 9 MEETING. AT THAT TIME 15 OR MORE CONGRESSMEN MAY ASK FOR RECONSIDERATION OF ANY ACTION TAKEN JUNE 9. EMBASSY SOURCE SAYS NEXT SESSION CANNOT BE HELD UNTIL AFTER ELECTION OF NEW CONGRESSIONAL OFFICERS ON JUNE 15, BUT CANNOT WAIT UNTIL WEEK OF JUNE 27, AS PREVIOUSLY THOUGHT. HIS BEST GUESS IS THAT NEXT LEGISLATIVE SESSION, AT WHICH MINUTES OF JUNE 9 WILL BE CONSIDERED, WILL BE CALLED FOR TUESDAY, JUNE 21.

5. COMMENT: WHILE EMBASSY HAS YET TO SEE BILL AS ENACTED, ALL SOURCES REPORT THAT DISCRIMINATORY ASPECT OF PREVIOUS GUATEMALAN SHIPPING LAWS IS MAINTAINED. A COPY OF THE LAW, WHEN OBTAINED, WILL BE CABLED TO DEPARTMENT AND EMBASSY COMMENTS WILL FOLLOW.
ANDREWS

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